

St. Louis City Ordinance 63801

FLOOR SUBSTITUTE

BOARD BILL NO. [96] 45

INTRODUCED BY ALDERMAN STEPHEN CONWAY

An ordinance affirming that the area blighted by Ordinance 61391, known as the 2806-2828 Brannon Avenue Area ("Area") as described in Exhibit "A" attached hereto and incorporated by reference, is a blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1986, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), affirming that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Amended Blighting Study and Plan dated February 21, 1996 for the Area ("Amended Plan"), incorporated herein by Exhibit "B", pursuant to Section 99.430; finding that any property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain or otherwise; finding that the property within the Area is currently partially occupied and the Redeveloper shall be responsible for providing relocation assistance pursuant to the Amended Plan to any eligible occupants displaced as a result of implementation of the Amended Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Amended Plan; finding that there shall be available up to ten (10) year tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and exercise their respective powers in a manner consistent with the Plan; and

WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a Land Clearance Project under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

WHEREAS, by Ordinance 61391, this Board found the property located in the 2806-2828 Brannon Avenue Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute and said property remains blighted; and

WHEREAS, by Ordinance 61391, this Board also approved a Redevelopment Plan for the Area, dated March 29, 1989; and

WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan approved by Ordinance 61391 by expanding the Area to include 2800-04 Brannon Avenue and allowing the use of eminent domain to acquire properties; and

WHEREAS, the LCRA has recommended such an amended plan to the Community Development Commission ("CDC") and to this St. Louis Board of Aldermen ("Board"), titled "Amended Blighting Study and Plan for 2806-2828 Brannon Avenue", dated March 29, 1989, amended February 21, 1996, consisting of a Title Page, a Table of Contents Page, and twelve (12) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Amended Plan"); and

WHEREAS, under the provisions of the Statute, and of the federal financial assistance statutes, it is required that this Board take such actions as may be required to approve the Amended Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan in the Area; and

WHEREAS, the LCRA and CDC have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and CDC of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Amended Plan has been presented and recommended by LCRA and CDC to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and CDC has advised this Board that the Plan conforms to said general plan; and

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the LCRA and CDC; and

WHEREAS, the Amended Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights-of-way, the establishment of new street and sidewalk patterns or other public actions; and

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those

relating to prohibitions against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap; and

WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this Board advertised that a public hearing would be held by this Board on the Amended Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and

WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the Amended Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The finding of the Board of Aldermen, by St. Louis Ordinance No. 63191, that certain property described therein (and described herein as Exhibit "A" attached hereto and incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of Missouri, 1986, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby confirmed.

SECTION TWO. The redevelopment of the Area as described in Exhibit "A", as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City.

SECTION THREE. The Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the Area is blighted as defined in Section 99.320 of the Statute.

SECTION FOUR. The Amended Blighting Study and Plan for the Area, amended February 21, 1996 ("Amended Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Amended Plan with the Minutes of this meeting.

SECTION FIVE. The Amended Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Amended Plan for the Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Amended Plan for the Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Area by private enterprise, and private developments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Amended Plan for the Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire any property in the Area by the exercise of eminent domain or otherwise.

SECTION NINE. The property within the Area is currently partially occupied. All eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Thirteen, below) shall be given relocation assistance by the Redeveloper at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION TEN. The Amended Plan for the Area gives due consideration to the provision of adequate public facilities.

SECTION ELEVEN. In order to implement and facilitate the effectuation of the Amended Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

- (a) Pledges its cooperation in helping to carry out the Amended Plan;
- (b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Amended Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amended Plan.

SECTION TWELVE. All parties participating as owners or purchasers of property in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, creed, national origin, sex, marital

status, age, sexual orientation or physical handicap in the sale, lease, or rental of any property or improvements erected or to be in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

SECTION THIRTEEN. In all contracts with private and public parties for redevelopment of any portion of the Area, all Redevelopers shall agree:

- (a) To use the property in accordance with the provisions of the Amended Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Amended Plan, bona fide minority and women subcontractors and material suppliers will be solicited and fairly considered for subcontracts and purchase orders by the general contractor and other subcontractors under the general construction contracts let directly by the Redeveloper;
- (c) To be bound by the conditions and procedures regarding the utilization of minority and women business enterprises established by the Community Development Commission of the City ("CDC");
- (d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated December 6, 1984, January 10, 1990 and March 31, 1992.
- (e) To comply with the requirements of Ordinance No. 60275 of the City;
- (f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction under this Agreement. The Redeveloper will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Mayor and the President of this Board; and
- (g) That the language of this Section Fourteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by minority group

members who have at least fifty-one percent (51%) ownership. The minority group member(s) must have operational and management control and interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control and interest in capital and earnings commensurate with their percentage of ownership.

The term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

SECTION FOURTEEN. The Redeveloper may seek ten (10) year tax abatement only pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 1986, as amended, upon application as provided therein.

SECTION FIFTEEN. Any proposed modification which will substantially change the Amended Plan, shall be approved by the St. Louis Board of Aldermen in the same manner as the Amended Plan was first approved. Modifications which will substantially change the Amended Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Amended Plan.

The Amended Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the CDC. Changes which are not substantial are those that do not go to the crux of the Amended Plan.

SECTION SIXTEEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board would have enacted the valid sections without the

void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

EXHIBIT "B"
AMENDED

BLIGHTING STUDY AND PLAN
FOR
2806-2828 BRANNON AVENUE AREA
PROJECT # 101
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
MARCH 29, 1989
AMENDED FEBRUARY 21, 1996
MAYOR
FREEMAN R. BOSLEY, JR.
AMENDED BLIGHTING STUDY AND PLAN FOR
2806 - 2828 BRANNON AVENUE AREA

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 2806 - 2828 Brannon Avenue Area (the "Area") is in the "Hill" neighborhood of the City and is situated immediately north of the intersection of Arsenal and Brannon Avenues.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" (Project Area Plan).

2. GENERAL CONDITION OF THE AREA

The Area is comprised of portions of Odell Street and City Block 4068-W and City Block 4069-W. The Area includes three interconnected, masonry, commercial buildings at 2810-28 Brannon, one frame residence at 2800 Brannon Avenue, and vacant land at 2804, 2806 and 2808 Brannon Avenue. The structures within the Area are in fair to poor condition. The physical condition of the buildings within the Area is shown on Exhibit "B" (Project Area Plan).

Unemployment figures computed by the Missouri State Employment Service indicate a 4.8% unemployment rate for the City of St. Louis as of November, 1995. It is estimated this that rate is prevalent in the neighborhoods surrounding the Area.

There are 97 jobs currently within the Area.

3. PRESENT LAND USE AND DENSITY OF THE AREA

The commercial property within the Area houses a printing operation. The residence is currently occupied and in poor condition.

Residential density for the surrounding neighborhoods is approximately 12.2 persons per acre. The land use, including the location of public and private

uses, streets and other rights-of-way is shown on Exhibit "C" (Proposed Land Use).

4. PRESENT LAND USE OF SURROUNDING PROPERTIES

The property to the east includes tracks of the Missouri Pacific Railroad and a Schnuck's grocery store. The property to the south includes several commercial uses and three four-family flats fronting along Arsenal Avenue. The property to the west is dominated by residential uses. The property to the north includes several residences interspersed with a number of commercial uses.

5. CURRENT ZONING

The Area is currently zoned "J" Industrial District pursuant to the Zoning Code of the City of St. Louis which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

While the majority of the Area is improved with either structures or pavement, those improvements are in fair to poor condition. The existence of underutilized and deteriorated property constitutes both an economic liability to the City and presents a hazard to the health and well being of the people. The conditions, therefore, qualify the Area as "blighted".

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this plan is to facilitate the development of the Area into productive commercial/industrial uses, including parking facilities.

The development activity proposed by this Plan contemplates demolition of certain portions of existing improvements, construction of additional commercial/industrial facilities and rehabilitation of the existing commercial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial/industrial uses permitted by the "J" Industrial District. In addition, any and all redevelopers contracting with the Land Clearance for Redevelopment Authority of the City of St. Louis (LCRA) to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for the following:

pawn shops, adult bookstores, x-rated movie houses, martial art instruction studios (schools or associations), massage parlors or health spas, drive-in restaurants, automobile service or stations, auto dealers (new or used), taverns or night clubs/discos, etc., storefront churches, fraternal halls, pinball arcades,

pool halls, secondhand or junk shops, tattoo parlors, tool, truck or other equipment rentals, figure and body building salons, fast food chains, convenience food stores/confectioneries, or blood donor facilities.

Exhibit "C" (Proposed Land Use) shows the proposed use for the Area. The Proposed Land Use Map also shows that public rights-of-way can remain unchanged.

3. PROPOSED ZONING

The zoning for the Area can remain "J" Industrial District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives and defined by the General Plan of the City of St. Louis including the "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). Any specific proposal to LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

Approximately 10 to 15 new permanent jobs will be created if the Area is developed in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed development. A portion of the employment created in the Area will reflect the skill level of the nearby population and a reasonable opportunity shall be provided in the Area for upward mobility and skill training of the low skilled employees initially hired in the Area.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation of the Area. The layouts, levels and grades of all public rights-of-way shall remain unchanged.

If the Redeveloper deems it desirable for rights-of-way changes to be made, the changes will be subject to the review and approval of the City of St. Louis Department of Streets and all vacations of rights-of-way are subject to ordinance approval.

7. BUILDINGS AND SITE REGULATIONS

The Area shall be subject to the regulations and controls of all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the Building Code and Zoning District Regulations of the City of St. Louis. The population densities, land coverage and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Any new building or building expansion shall be compatible with the existing building in terms of siting, massing, color, exterior finish materials, etc. The property shall be well landscaped, including street trees. Missing evergreen shrubs along the existing building frontage shall be replaced. The existing and any new parking lots shall be landscaped as noted below.

Existing and proposed metal fencing and gates shall be non-barbed and have a black matte color. Consideration shall be given to using decorative metal fencing along the property perimeters. Consideration also should be given to reopening or more attractively securing the existing windows along Brannon Avenue where it is physically possible to do so.

Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. Sidewalks may need to be notched to accommodate such trees.

The Redeveloper shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to provide such maintenance can result in suspension of tax abatement.

8. PARKING REGULATIONS

Parking shall be in accordance with the zoning and building code requirements of the City. This will provide for adequate vehicular parking for the Area.

9. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, HUDC stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

New wall signs shall not obstruct any architectural building elements, shall be placed only on those sides of buildings fronting on public or private streets, shall project no more than eighteen (18) inches from the face of the building, shall not extend above the second floor window sill of the structure, and the total sign area shall not exceed the lesser of either fifty (50) square feet or ten percent (10%) of the ground floor wall surface fronting on such streets. Only one sign per business per wall facing on a public or private street shall be permitted. In addition, one identification sign up to ten (10) sq. ft. in size may be placed on a wall facing a parking area or open space, provided the LCRA confirms that such a sign is required.

Canvas awnings with signs are permitted, provided they are compatible with the overall design and architectural details of the building upon which they are to be placed. Signage on awnings is limited to awning valance. In no case shall signage be allowed on both an awning valance and a building for the same business.

One ground or monument sign per use may be permitted provided it does not exceed six (6) feet in height nor exceed thirty (30) square feet per side, and provided the LCRA confirms that such a sign is required based upon the use, location or siting of the structure.

Businesses having more than 40,000 square feet of ground floor area may have signs proportionately larger than the maximum size set out in this section, provided that the LCRA confirms that there is need based upon the use, location, or siting of the building.

Painted wall signs, roof signs, pole signs, moving signs, animated or flashing signs, or permanent or portable message board signs shall not be permitted in the Area, and no regular or mini billboards (free standing or mounted on structures) shall be erected or maintained in the area, except that construction and leasing signs may be maintained during construction and for a period of one (1) year after completion of improvements on any respective parcel or part thereof.

10. BUILDING AND SIGN PERMITS

No building, conditional use or sign permits shall be issued by the City of St. Louis without prior written approval of the LCRA.

11. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public

utilities may be required depending on development. The cost of such utility improvements will be borne by the Redeveloper.

If funds are made available to the LCRA, it will provide public improvements, including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may enhance the implementation of this Plan.

When developed as outlined above, the Area will consist of a coordinated, adjusted and harmonious development which will promote health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy.

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Amended Plan shall take place in a single phase initiated within approximately eighteen (18) months of approval of this Plan by ordinance and completed within approximately five (5) years of approval of this Amended Plan by ordinance.

The LCRA reserves the right to alter the above schedule without prejudicing this Plan, or its implementation, in order to accommodate modifications in the Redeveloper's schedule. Such alteration of the schedule will not constitute a substantial change in the Plan.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

Implementation of the Plan may be financed by funds obtained from private and possibly public sources, including, without limitation, revenue bonds, bank loans and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may acquire, by exercise of eminent domain, any properties in the Area.

3. PROPERTY DISPOSITION

If the LCRA acquires property, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than fair market value, as determined by an independent appraiser.

4. RELOCATION ASSISTANCE

Some of the properties in the Area are currently occupied. All eligible occupants displaced by the implementation of this Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies. In addition, timely notice of development activities shall be provided to all occupants.

E. COOPERATION OF THE CITY

The City of St. Louis and its Board of Aldermen, by enacting an ordinance(s) approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Redeveloper shall hereby be entitled to the ad valorem tax abatement benefits for a period not to exceed ten (10) years from the commencement of such tax abatement.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the Community Development Agency Guidelines

for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and guidelines in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Contract between the LCRA and a Redeveloper, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper, its heirs, successors or assigns, by the LCRA, the City of St. Louis, any state having jurisdiction or the United States of America.

H. PROCEDURES FOR CHANGES IN APPROVED PLAN

This Plan may be modified at any time by the LCRA with the consent of the Community Development Agency; provided that, if modified after the sale or long term lease of real property in the Area modification must be concurred in by all Redevelopers or successors in interest affected by the proposed modifications.

Where the proposed modification will substantially change this Plan, the modification must be approved by the St. Louis Board of Aldermen by ordinance.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"
LEGAL DESCRIPTION
2806 - 2828 BRANNON AVENUE AREA

PARCEL NO. 1

Lots 1, 2, 3, part of lots 4 and 5, and all of lots 6 in Block 10 of St. Louis Heights, together with the northern 70 feet of Odell Street conditionally vacated under provisions of Ordinance No. 43696 and in City Block 4068-W and City Block 4069-W of the City of St. Louis, and being more particularly described as follows:

Beginning at the point of intersection of the southern line of Reber Place 130 feet wide, with the west line of said Lot 6, also being the northwest corner of Lot 6, thence southwardly along the west line of Lot 6, 106 feet to a point, thence westwardly 100 feet to the east line of Brannon Avenue, said point being 106 feet south of the south line of Reber Place, thence southwardly along the east line of Brannon Avenue and that part of vacated Odell Street 344 feet to the point, thence eastwardly along the northern 70 feet of vacated Odell Street 152.78 feet to the west line of property of Missouri Pacific Railroad Company, right-of-way, to the south line of Reber Place, thence westwardly along the south line of Reber Place 65.96 feet to the point of beginning. Excepting therefrom that part conveyed to LaBarge Products, Inc. by General Warranty Deed recorded on January 2, 1986 in Book 509M, page 675.

AND

Part of Lots 4 and 5 in Block 10 of St. Louis Heights, and in Block 4069W of the City of St. Louis, fronting 23 feet on the east line of Brannon Avenue, by a depth eastwardly of 100 feet to the east line of Lot 5; bounded north by a line 60 feet south from and parallel with the south line of South Reber Place.

AND

Part of Lots 4 and 5 in Block 10 of St. Louis Heights and in Block 4069-W of the City of St. Louis; having a frontage of 23 feet on the east line of Brannon Avenue by a depth eastwardly of 100 feet to the east line of said Lot 5, bounded north by a line distant 83 feet south from and parallel with the south line of South Reber Place.

AND

Part of Lots 4 and 5 of Cooper's Tract Addition in Block 10 of St. Louis Heights and in Block 4069W of the City of St. Louis, fronting 24 feet in the east line of Brannon

Avenue by a depth eastwardly of 100 feet to the east line of Lot 5, bounded north by a line 36 feet south from and parallel with the south line of South Reber Place.

PARCEL NO. 2

Part of Lots 4 and 5 in Block 10 of St. Louis Heights and in Block 4069W of the City of St. Louis, fronting 36 feet on the east line of Brannon Avenue by a depth eastwardly of 100 feet to the east line of Lot 5, bounded on the north by the south line of South Reber Place.

EXHIBIT "E"

FORM: 07/14/94

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, and any entity formed to implement the project of which the Redeveloper is a general partner), its contractors and subcontractors will include a clause requiring compliance with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination, the Executive Orders of the Mayor of the City dated December 6, 1984, January 10, 1990, March 31, 1992, and all guidelines herein.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

In the redevelopment of the Area, there shall be maximum utilization of bona fide minority business enterprises ("MBE's") and women business enterprises ("WBE's" and, together with MBE's, "disadvantaged business enterprises" or "DBE's"). The Redeveloper will set a minimum goal of twenty-five percent (25%) MBE participation and five percent (5%) WBE participation under these guidelines. In the event the Redeveloper fails to attain that goal, the Redeveloper may be required to show good cause therefor; provided however, that this requirement will be deemed to have been met when documentation evidences that all available resources (i.e. DBE suppliers, contractors, and subcontractors) willing to perform the work or provide the supplies--at a price which (i) is within the range requested by non-DBE's; or (ii) if higher than that requested by non-DBE's, is attributable to the effects of past discrimination--have been exhausted.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by minority group members who have at least fifty-one percent (51%) ownership. The minority group member(s) must have operational and management control and interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control and interest in capital and earnings commensurate with their percentage of ownership.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any Improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper agrees that if the redevelopment of the Area creates permanent jobs, it shall enter into an Employment Plan with the Saint Louis Agency on Training and Employment and the LCRA for referral of Jobs Training Partnership Act eligible individuals. Said plan shall specify the number of jobs to be covered by the Employment Plan, the target date for referrals to begin, and the procedure for referral.

Legislative History					
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND	VOTE
04/16/96	04/16/96	HUDZ			
2ND READING	FLOOR AMEND	FLOOR SUB	VOTE	PERFECTN	PASSAGE
06/07/96				06/14/96	06/21/96

ORDINANCE	VETOED	VETO OVR	EFFECTIVE
63801			